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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 INTER-MARK USA, INC., individually
16 and on behalf of all persons similarly
situated,

17 Plaintiff,

18 v.

19 INTUIT INC.,

20 Defendant.
21

Case No. C 07-04178 JCS

**JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER DISMISSING COMPLAINT WITH
PREJUDICE**

[FED. R. CIV. P. 41(a)(1)]

Pursuant to the Parties' settlement agreement, Intuit Inc., on the one hand, and Inter-Mark USA, Inc., on the other, by and through their respective counsel, hereby stipulate and agree pursuant to Fed. R. Civ. P. 41(a)(1) that all claims in this action are hereby dismissed with prejudice, with each party to bear its own costs and attorneys' fees except as otherwise provided for in the settlement agreement.

Dated: August 1, 2008

HOFFMAN & LAZEAR

By: /s/H. Tim Hoffman

H. Tim Hoffman

Attorneys for Plaintiff
INTER-MARK USA, INC.

Dated: August 1, 2008

FENWICK & WEST LLP

By: /s/Rodger R. Cole

Rodger R. Cole

Attorneys for Defendant
INTUIT INC.

ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45, Section X.B., I hereby attest that I have obtained concurrence of the signatory, H. Tim Hoffman, indicated by a "conformed" signature (/s/H. Tim Hoffman) within this efiled document.

Dated: August 1, 2008

FENWICK & WEST LLP

By: /s/Rodger R. Cole

Rodger R. Cole

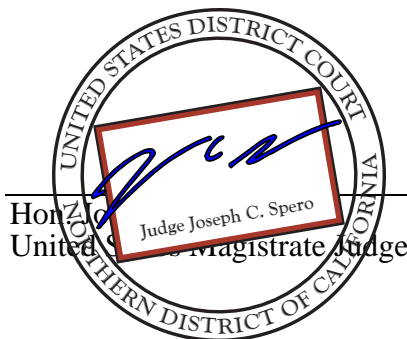
Attorneys for Defendant
INTUIT INC.

~~[PROPOSED]~~ ORDER DISMISSING COMPLAINT WITH PREJUDICE

The parties having so stipulated, IT IS ORDERED that all claims in the action are hereby dismissed with prejudice.

IT IS SO ORDERED.

Dated: August 4, 2008



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